

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

STAFF REPORT FOR REGULAR MEETING OF MARCH 31, 2000

Prepared on February 28, 2000

ITEM: 4

SUBJECT: Executive Officer's Report to the Board

Brief discussion of some items of interest to the Board follow. Upon request, staff can provide more detailed information about any particular item.

**REGULATION SUMMARY OF
JANUARY/FEBRUARY 2000**

[Corinne Huckaby 805/549-3504
and Maura Mahon 805/542-4642]

Orders

Reports of Waste Discharge Received	9
Requirements Pending	37
Inspections Made	34
Self-Monitoring Reports Reviewed	225*
Stormwater Reports Reviewed	14

*Tank unit data estimated.

Enforcement

Non-Compliance Letters Sent:	
NPDES Program	5
Non-Chapter 15 WDR Program	2
Chapter 15 Program	0
Unregulated	18
CAOs Issued	0
ACL Complaints	0
Notice to Comply (NTC)	0

WATER QUALITY CERTIFICATIONS

[Corinne Huckaby 805/549-3504]

Conditional Certification is recommended to the State Board Executive Director when a project may adversely impact surface water quality. Conditions allow the project to proceed under an Army Corps permit, while upholding water quality standards.

Staff recommends "Waiver of Certification" when the applicant proposes adequate mitigation. Measures included in the application must assure that beneficial uses will be protected, and water quality standards will be met.

Staff will recommend "No Action" when no discharge or adverse impacts are expected. Generally, a project must provide beneficial use and habitat enhancement for no action to be taken by the Regional Board.

A chart on the following page lists applications received through February 28, 2000.

**WATER QUALITY CERTIFICATION APPLICATIONS RECEIVED BETWEEN JANUARY 1, 2000
AND FEBRUARY 28, 2000**

Date Received	Applicant	Project Description	Receiving Water	Action Taken
January 07, 2000	Santa Cruz, County Of	Branciforte Creek Homes Streambank Protection	Branciforte Creek	Waiver
January 13, 2000	County Of San Luis Obispo	Water System Improvements In Shandon	San Juan Creek	Pending
January 21, 2000	Land Use Planners And Consultants	Beach Club Road Project Involving Reconstructing Seawall	Pacific Ocean	Waiver
January 26, 2000	South San Luis Obispo County Sanitation District	Arroyo Grande Creek Diversion	Arroyo Grande Creek	Pending
January 26, 2000	Union Pacific Railroad Company	Ellwood Siding Project	Wetlands	Waiver
February 1, 2000	Golfs Trust Of America	San Piper Golf Course & Clubhouse Renovation	Wetlands; Devereaux Creek	Pending
February 8, 2000	CGC Enterprises	Riprap Bank Stabilization Project	Unnamed Tributary To Salinas River	Pending
February 10, 2000	Paso Robles Vineyard	Culvert Installation	Unnamed Swale In Ranchito Canyon	Pending
February 11, 2000	MFS Globenet Worldcom	Fiber Optic Cable Network Installation	Morro Bay	Pending
February 14, 2000	Las Palmas Ranch Development	Unauthorized Grading In Phase Ii Las Palmas Ranch Residential Development Project	Salinas River/Drainages	Pending
February 14, 2000	Glen-Loma Group	The Uplands:Single-Family Residential Units	Uvas Creek	Pending
February 14, 2000	Caltrans	Curve Realignment Route 166	Cuyama River	Pending
February 18, 2000	Caltrans	Adobe Creek/Hwy 1 Culvert Failure	Adobe Creek	Pending
February 22, 2000	San Luis Obispo County Engineering	Huasna Road Widening	Arroyo Grande Creek	Pending
February 23, 2000	AT&T China Cable	AT&T China Cable	Pacific Ocean	Pending
February 25, 2000	Michael And Pamela Fleming	Noyes Road Culvert Installation	Unnamed Drainage	Pending
February 28, 2000	DKB Homes	Gonzales Slough Improvement Project	Gonzales Slough	Pending
February 29, 2000	Caltrans	Culvert replacement/extension	Boulder Creek	Pending

Ch\h\bdmtg\wq cert table

LOW THREAT DISCHARGES

This section is for dischargers who have requested approval to discharge water that poses insignificant threat to water quality or for sites recommended for case closure (low risk sites where no further regulatory action is required). Consequently, we conditionally approved of these proposals. Conditions common to each approval are:

1. If you, the Regional Board, object to the proposal, an NPDES permit or waste discharge requirements will be prepared for the Board's consideration.
2. The discharger remains liable for any treatment system failure that results in significant discharge of pollutants.
3. We have a "low threat discharges" general permit for surface water discharges available, and the discharger may be required to file for coverage by that permit.

Site descriptions and specific conditions are listed below for each case.

Post Ranch Inn, Monterey County [Tom Kukol 805/549-3689]

Staff recommends the wastewater discharge from the facility noted above be regulated under Water Quality Order No. 97-10-DWQ, "General Waste Discharge Requirements for Discharges to Land by Small Domestic Wastewater Treatment Systems" (General Requirements) adopted by the State Water Resources Control Board on November 18, 1997. The discharge is less than 20,000 gallons per day and treatment is by a septic tank system and an activated sludge system. Treated effluent will be discharged to a subsurface disposal system. The proposed discharge will comply with Regional Board standards, prohibitions, and requirements to protect water quality. Waste discharge under the General Requirements for existing facilities is exempt from provisions of the California Environmental Quality Act (Public Resource Code, Section 21100 et seq.) in accordance with Section 15301, Chapter 3, Title 14, of the California Administrative Code. This

recommendation is consistent with agenda Item No. 12, rescinding the individual requirements.

Monterey Harbor and Moss Landing Harbor Bilge Water, Monterey County [Lida Tan 805/542-4785]

The Monterey Harbor and Moss Landing Harbor Harbormasters propose to collect bilge water from the vessels in their harbors and discharge the treated water to Monterey Harbor and Moss Landing Harbor, respectively. Currently, due to a lack of public bilge water pumpout facilities in Monterey County, untreated bilge wastewater is commonly pumped overboard by boaters. The improper disposal of the potentially contaminated bilge wastewater is considered as the main source of oil in the Monterey public harbors. To address water quality problems associated with marinas and boating activities, Monterey Bay National Marine Sanctuary, Monterey County Division of Environmental Health, Ecology Action, Save Our Shores and the local harbormasters formed a partnership to address bilge water concerns. A grant has been set up allowing the harbors to purchase bilge water pumpout and treatment equipment. Current plans include installing treatment systems, then collecting and treating bilge water from vessels prior to discharge in the harbors.

Water quantity and quality monitoring of the discharge indicates approximately 600 gallons per month of untreated bilge wastewater is discharged to the Monterey Harbor and approximately 2,000 gallons per month to Moss Landing Harbor. Analytical results indicate that the untreated bilge water contains metals such as chromium, copper, lead and zinc above the effluent limitations in Table B of the California Ocean Plan.

The bilge water treatment system consists of an oil/water separator and a polishing filter system. The polishing filter system consists of a proprietary polymer and granular activated charcoal filter. The treatment system is expected to either remove most pollutants or reduce pollutant concentration levels to meet California Ocean Plan water quality criteria. Such pollutant reduction should protect harbor water beneficial uses. The waste oil removed from the bilge water

will be recycled. Bilge water suspected of containing anything other than oily water will be disposed of as hazardous waste off site.

It is estimated that discharge will occur approximately once a week with a flow rate of five gallons per minute at Monterey Harbor. The treated effluent will discharge from a pipe mounted under the existing fuel dock in Breakwater Cove.

An estimated 500 gallons of treated bilge water will be discharged into Moss Landing Harbor once a week with a flow rate of 10 gallons per minute. The treated effluent will discharge from a pipe mounted under the existing maintenance dock at the harbor.

According to the Central Coast Region Basin Plan (1994), the Monterey Harbor discharge location is within the Monterey Bay Prohibition Zone, between Point Pinos to the mouth of Salinas River. Generally, discharge in the Prohibition Zone is prohibited. However, the current common practice of pumping untreated bilge water to the Monterey Bay is considered a primary oil source in Monterey Bay and a detriment to water quality. Due to the low volume of the proposed discharge, the treated bilge water is not expected to impact the water quality in Monterey Bay. Treated bilge water discharge into the Moss Landing Harbor is not within the Monterey Bay Prohibition Zone. Staff believes the proposed discharges will improve water quality and are consistent with general policies to reduce pollution and enhance water quality.

Based on the review of the application and support of Monterey Bay National Marine Sanctuary, Monterey County Division of Environmental Health, Ecology Action, Save Our Shores, and the local harbormasters, staff determined that the treated bilge water discharges to Monterey Harbor and Moss Landing Harbor could be permitted, in conformance with Waste Discharge Requirements Order No. 96-4, General Permit for Discharges with Low Threat to Water Quality. Thus, in January 2000, letters were sent to the Harbormasters and interested parties supporting the low threat discharges and requiring compliance with Order No. 96-4.

Staff has modified the Monitoring Reporting Program for the General Permit Order No. 96-4 to

include additional analytical parameters for the treated bilge water monitoring. The additional parameters include chromium III, copper, lead, zinc and total petroleum hydrocarbons (diesel, oil & grease).

Unless the Board determines valid objections are raised at today's meeting, Monterey and Moss Landing Harbormasters may discharge treated bilge water in compliance with General Permit for Discharges with Low Threat to Water Quality, Order No. 96-4, and the associated monitoring programs.

CASE CLOSURES FOR ABOVE AND UNDERGROUND TANKS (UGT), AND SPILLS, LEAKS, INVESTIGATIONS AND CLEANUPS (SLIC)

This section is formatted to easily identify sites where staff is recommending case closure concurrence from the Board. Case closures generally fall into two categories - cases where cleanup goals have been met and cases where cleanup goals have not been met. In the first case, staff generally sends the responsible party a letter stating the case is now closed since cleanup objectives have been met and no further action is needed. Unless the Board objects, staff will continue to send closure letters and simply report these cases by way of the Executive Officer's report.

The second situation occurs where cleanup objectives are not yet met, but for various reasons, staff is recommending closure. These cases will be reported to the Board in more detail. For example, staff has discovered that some sites have a plume of contamination confined to a defined area. Ground water monitoring may show the plume is decreasing both in concentration and size, and does not threaten probable beneficial uses. Other specific circumstances may exist such as the plume may be confined to a shallow portion of the aquifer with no actual or expected uses of the groundwater. The reasons for staff recommending closure will be explained with each case.

We are presenting these closures in a manner similar to the way we present waivers of waste discharge requirements. That is, the case will be

discussed and if the Board does not object to a case or wishes more information, the issue may be discussed at the Board meeting where we can provide clarification or the Board may reject our recommendation for closure.

Abbreviations commonly used for these cases:

TPH - Total Petroleum Hydrocarbons

TPHd - TPH measured in the carbon range of diesel

TPHg - TPH measured in the carbon range of gasoline

BTEX - Benzene, Toluene, Ethylbenzene, Xylene (components of gasoline)

MTBE - Methyl Tertiary Butyl Ether (gasoline oxygenate additive)

DCA or 1,2, DCA - dichloroethane (gasoline additive)

DCE - dichloroethylene (gasoline additive)

PCE -tetrachloroethylene or perchloroethylene (perc - a solvent)

TCE - trichloroethylene (a solvent)

TCA - trichloroethane (a solvent)

Cases Recommended for Closure

Garden Plaza Investors, Garden Plaza Suite, 221 E. Gutierrez St., Santa Barbara, Santa Barbara County [Richard Aleshire 805/542-4631]

ARCADIS Geraghty & Miller, on behalf of Garden Plaza Investors, requests closure of a site at 221 E. Gutierrez Street, Santa Barbara. The site is depicted as the Garden Plaza Site on accompanying Figures 1, 3, and 4 listed as Attachments 1a, 1b, and 1c.

Ground water cleanup along the southeast half of the site has been ongoing for several years because available technical information had indicated a release of PCE. PCE contamination in groundwater on the southeast half of the site has been reduced to an average of 22 parts per billion (ppb), a concentration below the concentration coming on-site site (79 ppb PCE in upgradient well GTE-2). The PCE in well GTE-2 is apparently from an upgradient source (Richards Accurate Import Service depicted on Figures 2-4). The Board's Basin Plan PCE cleanup goal is 5 ppb.

Previous investigations on-site have attempted to establish whether PCE was used and discharged on-site. Historic use of the site for auto maintenance indicated PCE may be present. Eight (8) suspect locations on-site were drilled and sampled (25 soil samples), and only one soil sample had PCE, and it was a very low concentration of 11 ppb. No other on-site soils were found to contain any PCE. Lack of PCE in soil, and other site information, indicates the PCE in ground water is not likely from the site; rather the likely source is offsite.

While property owners may be held responsible for contamination coming on-site from subsurface sources, Board staff concludes that Garden Plaza Investors has met reasonable expectations to delineate and cleanup PCE on-site.

Regional Board staff seeks concurrence from the Board to issue a closure letter provided monitoring wells GTE-1 and MW-8 remain operational to evaluate future progress toward PCE cleanup in ground water by others. Regional Board staff will request an investigation by Richard's Accurate Import Service.

Santa Barbara County Fueling Facility, 912 Foster Rd., Santa Maria, Santa Barbara County [Richard Aleshire 805/542-4631]

The County of Santa Barbara, as owner, requests case closure for a leaky underground fuel tank (LUFT) site at its Santa Maria Fueling Facility. In support of their request, the County's consultant, Hoover & Associates, submitted a report outlining past cleanup activities and current ground water conditions. Cleanup activities included removal of three 10,000 gallon tanks, removal of 568 gallons of gasoline recovered by vapor extraction, and on-site treatment of 270 cubic yards of soil.

Ground water is now only very slightly impacted with benzene beneath the site (at 3.5 parts per billion, ppb) in only one well, and that impact occurs in a perched (shallow) water zone. The Board's cleanup goal for benzene in ground water is 1 ppb. MTBE consistently has been less than 5 ppb in ground water since 1998. Impacted groundwater is limited to an area of about 2,000 square feet. The regional aquifer is 200 feet below the site, and perched ground water is not normally used.

Unless the Board objects, staff will recommend that Santa Barbara County Fire Department, Hazardous Materials Unit, issue a case closure letter to the Santa Barbara County Public Works Department. The basis for this recommendation is that compliance with the Board's Basin Plan water quality objectives has been met in ground water except for one slight exceedance in a perched ground water zone. Perched ground water is unlikely to be used before natural attenuation of benzene results in full compliance with Basin Plan water quality objectives. Compliance with Basin Plan water quality objectives appears imminent (a prerequisite for closure).

Corrective Action Plan Approval

Rain for Rent, 469 El Camino Real South, Salinas, Monterey County [John Goni 805/542-4628]

The responsible party's consultant submitted a supplemental Corrective plan on September 8, 1999. The plan recommended the construction of two additional vapor extraction wells and associated hardware, one additional monitoring well, and improvements to three existing water wells to prevent vapor short-circuiting. The plan was reviewed and subsequently approved by Board Staff.

STATUS REPORTS

Buena Vista Mines, Inc., San Luis Obispo County [Gerhardt Hubner 805/542-4647]

Harold Biaggini and Buena Vista Mine Inc. Sentencing:

The terms of the December 7, 1999 sentencing (fine, escrow account, house arrest) on Mr. Biaggini, and the BVMI Corporation have not yet been imposed. Legal Counsel has called the U.S. Attorney regarding implementation of sentencing but has not received a response.

Site Conditions:

On Friday March 3, 2000, staff met with Mr. Dan Suter, U.S. Environmental Protection Agency's (U.S. EPA) On-site Coordinator at the Regional Board's office in San Luis Obispo. The previous day Mr. Suter and his contractor conducted an inspection of the Buena Vista and Klau Mines. Notes from the meeting:

- Presently the lower pond has only one foot of freeboard remaining. No treatment of Acid Mine Drainage (AMD) waters in the ponds has been conducted the last several weeks. However, treatment of AMD waters was conducted the day of the U.S. EPA visit. Without constant treatment and continuing rains there is grave concern that this pond will overtop and spill non-treated polluted AMD water into Las Tablas Creek.
- Additional storage is available in the upper pond (currently empty).
- BVMI has stopped paying its consultant SECOR.
- Erosion control measures constructed in 1999 are largely in place. Some silt fences have blown out, but can be easily repaired. Sedimentation basins installed have been largely effective in capturing sediment. Some basins have 2-3 feet of sediment, while Sedimentation Basin No. 3 is almost full.

Staff is planning to conduct its own inspection of the mine sites the week of March 6, 2000.

On March 2, 2000, U.S. EPA sent a letter to Harold and Edward Biaggini, and Buena Vista Mines, Inc.. The letter clarifies U.S. EPA's position on the response actions listed under the Unilateral Administrative Order No. 99-13 (UAO). In essence the letter directs Mr. Biaggini and BVMI to complete the remaining list of response actions (roughly half has been completed) under the UAO this year. It also requests clarification as to whether Mr. Steve Little of SECOR Inc will continue as the project coordinator.

Staff understands that U.S. EPA is finalizing a Section 104(e) Request for Information Letter that will be issued shortly to Mr. Biaggini as president of BVMI. This section of the CERCLA or Superfund Law requires a disclosure of: a) the nature and quantity of material which have been or are being generated, treated, stored, or disposed at the facility; b) the nature or extent of a release or threatened release of a hazardous substance or pollutant or contaminant from the facility; and c) information relating to the ability of a person to pay for or to perform a cleanup. As part of this request Mr. Biaggini and the BVMI Corporation is

required to provide full financial disclosure of all its assets, property and institutions.

RWQCB Directives:

On January 31, 2000, staff finalized and sent out a multi-page comment letter on BVMI's Final Compliance Plan (Plan), dated September 1999. These comments were coordinated with the U.S. EPA's On-site Coordinator. The Plan contained many concepts that if properly planned, coordinated, implemented and completed staff believes will reduce the pollution threat at the Buena Vista Mine. Staff believed the deficiencies outlined in the comment letter could be addressed through the Engineering Design Plan (the Engineering Design Plan proposed by BVMI consultants). The letter gave two months to prepare and submit this document in anticipation of the next construction season.

On March 1, 2000, we received a copy of a petition to the SWRCB filed by Sullivan and Associates, attorney for Mr. Biaggini and BVMI. The petition asks for the stay of the directives and orders contained in the January 31, 2000 letter (including the April 1, 2000 submission of the Engineering Design Report). The petition is currently under review.

No monitoring reports (therefore no sampling data) under the NPDES permit have been submitted by BVMI since end of Summer 1999.

Former Casmalia Resources Hazardous Waste Landfill Site (Casmalia Site), Santa Barbara County [Dan Niles 805-549-3355]

Some of the most recent items of interest regarding Casmalia project include:

- Groundwater monitoring
- Status of site ponds
- Pesticides/Solvent Landfill Cap Construction Update

Groundwater Monitoring

The Steering Committee contractors analyzed samples they collected in November and December 1999. Monitoring consists of collecting

groundwater samples from monitoring wells for chemical analyses. Water level elevations are also measured from the wells to aid in establishing groundwater flow directions. The five on-site ponds were also sampling during this latest monitoring event. The purpose of sampling pond waters was to gather chemical and mineral water quality data. Information gathered during this latest monitoring event should be available to the agencies for review in June or July 2000.

The agencies have been working with the Casmalia Steering Committee regarding certain aspects of the groundwater monitoring program. These include data validation, support of conclusions drawn from collected data, upgrading and repair of the current monitoring network, depiction of data to facilitate review by the agency and public, and report format. These discussions are on-going with the United States Environmental Protection Agency (U. S. EPA), who is leading the multi-agency work effort.

Status of Site Ponds

Based on current pond water levels total, it appears the ponds have adequate storage capacity for the remainder of this winter season and an NPDES discharge will not be necessary.

Recently, the Casmalia Steering Committee completed and submitted two berm stability analyses for the RCF Pond and Pond 18. The agencies have reviewed the RCF Pond study, commented on an area where a pond berm was sloughing, and requested the Casmalia Steering Committee take steps to minimize further localized failure. Subsequently, the Casmalia Steering Committee completed temporary stabilization measures. Staff of the Department of Water Resources - Division of Safety of Dams, Department of Toxic Substances Control, and Regional Board believe the stabilization measures should have included more permanent measures for the repair of the failing berm. It is anticipated that the pond will still be used for approximately seven more years. Discussions between the State and U. S. EPA continue regarding the adequacy of the temporary stabilization measures and the need for a more permanent repair solution to achieve longer-term berm stability.

Pesticides/Solvent Landfill Cap Construction Update

U. S. EPA sent the Casmalia Steering Committee a letter detailing areas where construction details and design specifications were not followed according to approved design plans for the vegetative layer (the upper portion of the cover system). The agencies and U. S. EPA's contractor developed a list of 34 areas of concern related to construction and workmanship of the Pesticides/Solvents Landfill vegetation layer. In a meeting on February 16, 2000, the agencies met with the Casmalia Steering Committee and detailed all 34 concerns. Essentially, the Casmalia Steering Committee agreed to address the 34 items in a corrective action workplan expected some time in April 2000. There are also on-going discussions between the agencies and the Casmalia Steering Committee regarding other construction details for the Pesticides/Solvents Landfill.

One of the 34 specific concerns was the inappropriate use of biosolids for soil amendment. Staff expected that the biosolids would be incorporated into the first six inches of soil by disking. This method of application is considered routine within this Region. The method helps ensure the development of a dense vegetation layer and slows the rate rainfall runoff during significant storm events. This also helps to ensure that the engineered drainage system can adequately handle the "probable maximum precipitation event." Staff wrote two letters detailing the appropriate use of biosolids at the site in September 1998, and again in January 2000. Rather than disking the biosolids as was approved in the design specifications, the biosolids were spread out across the surface of the finished landfill and tractor walked onto the surface of the soil. U. S. EPA's on-site contractor reported in a written communication that this resulted in uneven application of the biosolids with areas of under application and over application in others. Ultimately, this could affect the drainage system design resulting in uneven vegetation growth and higher rainfall to runoff rates thus exceeding designed drainage capacities.

Since the recent rainfall, the vegetative layer has eroded. Staff recommended appropriate erosion controls to U. S. EPA and the Casmalia Steering Committee on two occasions prior to completion of the vegetation layer. These recommendations were based on their demonstrated effectiveness at similar

sites within the jurisdiction of Region's 2 and 3. Staff's recommendations were not followed and as a result, erosion was excessive. Costs associated with on-going operations and maintenance of the cover system will also be higher. Ironically, similar erosion controls used a year earlier on the former Pesticides/Solvents Landfill toe buttress, also failed. As a result of the current erosion, soil and biosolids have washed off the vegetation layer and into the RCF Pond.

Cambria MTBE, San Luis Obispo County [Sheila Soderberg 805/549-3592]

At the February 4, 2000 Board meeting, staff reported a problem of leakage to ground water of gasoline compounds, MTBE in particular, from an underground tank site in Cambria. MTBE was found in high concentrations which threatens water supply wells owned by Cambria Community Services District (CCSD). This report updates the Board of activities since that last report. The problem also has been a focus of attention in the local news media.

Meetings sponsored by San Luis Obispo County Supervisor, Ms. Shirley Bianchi, and the CCSD Director, Mr. Ken Topping were held on February 3 and 24, 2000. Many interested parties, including Board staff, met with Ms. Bianchi, Mr. Topping, and Chevron Products Company (Chevron) to discuss the status of the ongoing ground water investigation of the Chevron Service Station located at 2194 Main Street, Cambria. During the meeting, Chevron acknowledged responsibility for the release of petroleum products to soil and ground water, including the fuel additive, methyl-tertiary-butyl-ether (MTBE). The contamination poses a threat to two of CCSD's standby supply wells. CCSD uses these wells generally at the end of summer or during drought conditions.

Chevron reported on the January and February 2000 onsite and offsite investigation results (see attached site map). Recent measurements indicate a southerly ground water flow direction, towards Santa Rosa Creek. MTBE was detected at relatively high concentrations in onsite ground water monitoring wells MW-1R and MW-4 and in lesser concentrations in offsite wells MW-10, MW-11, MW-14, and MW-19. All other onsite and offsite monitoring wells, private irrigation

well, and surface water samples collected from Santa Rosa Creek did not contain MTBE.

As part of interim corrective action, Chevron is using a vacuum truck to remove MTBE-impacted ground water three days per week until other corrective action measures are implemented. Chevron is actively pursuing offsite access agreements with private property owners to continue delineation of the MTBE plume in ground water south and southwest of the site towards Santa Rosa Creek and the CCSD Well No. 3. Due to stalled negotiations between Chevron and the property owners, staff sent a letter on February 29, 2000 encouraging the property owners to allow Chevron access to their property.

In addition to sampling for MTBE, Chevron will analyze ground water samples for other fuel additives, including tert-butyl-alcohol (TBA). Chevron submitted a site assessment report to the Board and other interested parties on February 17, 2000. Staff's response to the report is expected during the first week of March, 2000. Another follow-up meeting is scheduled for March 9, 2000.

Cisco Development, Santa Clara County [Roger Briggs 805/549-3140]

At the February 4, 2000 Board meeting, staff was directed to provide the status of a project known as Cisco Development in Santa Clara County. If the project would cause additional loading on the already stressed capacity of the South County Regional Wastewater Authority's system (SCRWA) serving Gilroy and Morgan Hill, we were to be sure SCRWA was planning accordingly, and not over-committing. Staff contacted the Santa Clara County Planning Department and the City of Gilroy Planning Department to obtain information on this project.

The Cisco Project is located between Morgan Hill and San Jose in Coyote Canyon, outside of our region. The project is located within the San Francisco Bay Region's jurisdictional boundary and Cisco is not pursuing sewer service from SCRWA. Of course, this business will add to the already high housing demand in the northern part of our region (Santa Cruz, Santa Clara, San Benito, and Monterey Counties).

Unocal Avila Beach Cleanup, Status Report [John M. Robertson 805/542-4630]

Adjacent Plumes

As reported at the last Board meeting, the excavation work required by Cleanup or Abatement Order (CAO) No. 98-37 was completed in January. Numerous additional smaller plumes are located throughout Avila Beach, but were not covered under the original CAO scope of work. The cleanup requirements defined in the CAO have been carried forward for use on each of the adjacent plume excavations. Two of these additional plumes, Cell2E/west end and the former Cummings property plume (See attached map), were removed at the same time as the main plume excavation.

There are four distinct subsurface hydrocarbon plumes on the former Lyon/Tognazzini property. Additionally, a significant portion of the surface soil throughout this site has been degraded by petroleum discharges. The former Lyon/Tognazzini property is a remnant of the Pacific Coast Railway right-of-way and contained several subsurface pipelines parallel to the tracks. The two smallest subsurface sites were excavated in February. The remaining two subsurface sites will be excavated in March, weather permitting. Unocal is also currently removing the degraded soil from the near-surface portions of the site.

Unocal is currently in the process of excavating hydrocarbon plumes on both the former Farris/Bachino and Lyon/Tognazzini properties. Excavation on both of these sites has been slowed by the adverse weather throughout February. A water re-circulation facility associated with Avila Tank Farm operations was located on the Farris/Bachino property during the mid- 1900s. The western portion of this site was excavated in early February. Excavation will resume on the eastern portion of this plume following completion of the Lyon/Tognazzini excavations.

Main Plume Ground Water

Post-excavation ground water monitoring wells have been installed and sampled in Cells 1A and 1B. Preliminary results indicate hydrocarbon concentrations in ground water have already decreased significantly relative to pre-excavation

levels, reflecting the removal of contaminated soil and the associated oxygenation of the ground water, which has enhanced natural degradation processes. Additional monitoring events will hopefully confirm these initial positive results and expedite final closure for this portion of the cleanup project. Wells will be installed in the remaining major cells this spring to verify that similar contaminant degradation is continuing throughout the excavation project area.

Intertidal Plume

A work plan for additional characterization of the Intertidal plume was completed and approved in February. A barge-mounted investigation will be conducted in the intertidal portion surrounding the Avila pier this spring.

Mitigation Project Review Process

Approximately 40 water-quality project proposals were submitted last December, in response to our request for proposals for funding from the Avila Beach settlement money. Regional Board staff have formed an internal review committee and are currently conducting preliminary evaluations of each of the proposals. This preliminary evaluation will provide a rough grading for each proposal based on compliance with Board-adopted evaluation criteria. A more detailed evaluation of each project will be conducted following a public meeting in Avila Beach. Final project funding recommendations will likely be brought before the Board late this year.

The Department of Fish and Game and the San Luis Obispo County Air Pollution Control District each received mitigation funding from the Avila Beach cleanup project and are conducting concurrent proposal review processes. Regional Board staff is working with both agencies by sharing proposals that cross agency jurisdictions to ensure full consideration of project proposals that benefit water quality.

Avila Tank Farm

Additional characterization work at the Avila Tank Farm is awaiting finalization of the Remediation Test Panel's data gap recommendations. This document is in draft form pending comments from both Regional Board staff and Unocal. Final recommendations for additional characterization work at the Tank Farm will be implemented

following completion of the data gap document. Staff from the Regional Board, Unocal, will meet twice in March with the Remediation Test Panel in an effort to finalize this report.

Ballard Canyon Landfill, Santa Barbara County
[Hector Hernandez 805/542-4641]

Summary

The following is a status report on the major developments since the February 4, 2000, Board meeting concerning the Ballard Canyon/Chalk Hill Road Landfill, Solvang, Santa Barbara County.

Background

Between 1948 and 1969, Santa Barbara County Public Works Department (County) leased approximately ten acres of land to operate the Ballard Canyon/Chalk Hill Road Landfill, located approximately one mile northwest of the community of Solvang, Santa Barbara County (Attachment 1.). Refuse was placed in an approximately 8.4-acre area using a trench and fill method. The landfill consists of unlined cells with no leachate collection and removal system. An interim cover was placed after the landfill stopped receiving waste. Subsequently, the landowner subdivided the land and sold it for residential use. Although the precise boundaries of waste disposal have not yet been delineated, two homes were constructed adjacent to the area of waste disposal and several other homes were constructed nearby. Also, several water supply wells were placed near and adjacent to the landfill (Attachment 2.).

Site Investigation Status

A Revised Interim Cleanup Plan was received on February 14, 2000, and is currently undergoing review. Staff expects completion of its review by mid March 2000. Assuming the revised plan is acceptable, implementation of a gas recovery system is expected by spring 2000.

A Final Investigation Report is required by May 29, 2000. This report will document all site characterization activities performed and summarize all assessment results, in accordance with the Final Work Plan and as approved by the Executive Officer.

Site Access Issues

As explained during our last update, access problems between the County and the landfill

property owners (Mr. Chase and Mr. Brantner) have been resolved. The County and the two landfill property owners (Mr. Chase and Mr. Brantner) reached settlements. The County has purchased the two landfill properties and the site access issues have finally been resolved. Escrow for the Brantner property closed on February 23, 2000. Escrow for the Chase Property is scheduled to close during the first week in March 2000. The major field work activities are scheduled to begin as soon as the deeds to the properties are recorded with the County and formally approved the County Board of Supervisors during its March 7, 2000, meeting.

The County remains in litigation with several other residents near the landfill property.

Fieldwork Status

During the second week in February, the County performed and completed a Ground Penetrating Radar survey. A series of trenches and borings are planned throughout the landfill area to confirm the results from the radar survey. The radar survey and confirmatory trenches and borings will be used to determine the landfill's lateral and vertical extent. Additionally, soil and waste samples will be collected and analyzed to help characterize the waste discharged.

Air Quality Issues and Integrated Waste Management Board (Waste Board) Involvement

As explained in our previous update, the Waste Board remains actively involved and is assisting Regional Board staff in addressing non-water quality aspects of the landfill site. The non-water quality aspects include landfill-gas monitoring and control and public health and safety. Waste Board staff will provide technical assistance (primarily on landfill-gas issues) on the ongoing regulatory oversight of site assessment and remediation. This will include review of technical documents and monitoring and reporting programs and participation in meetings, conference calls, and field visits as requested and necessary to support the local enforcement agency and the Regional Board.

Larner Domestic/Irrigation Well

Staff remains concerned about a VOC plume migrating from the landfill towards the Larner well, particularly during heavy well pumping. The

Executive Officer directed the County to provide a proposal to control offsite migration of VOCs towards the Larner well by February 28, 2000. The County submitted that plan and staff has responded that the plan seems reasonable. This is considered an interim solution to the overall ground-water plume migration problem until an acceptable long-term cleanup remedy may be developed and implemented.

Total Maximum Daily Loads Progress [Lisa McCann 805/549-3132]

Regional Board staff in the Watershed Assessment Unit have been working most of this state fiscal year on development and establishment of Total Maximum Daily Loads (TMDLs) for waterbodies in high priority watersheds (priorities are based on the existing "303(d) List" of impaired waters and the Watershed Management Initiative). In general, a TMDL is developed and established by a phased process which includes assessing point and nonpoint sources of the pollutant, determining the contribution from each source, determining appropriate load reductions for each source, implementing a program to achieve load reductions, adoption of a basin plan amendment, and monitoring to determine attainment of water quality standards. Federal Law requires a TMDL to include a problem statement, numeric targets, source analysis, and load allocations (also referred to as a "technical" TMDL). Federal and State Law require the Basin Plan be amended to include the technical TMDL, the implementation plan and monitoring plans. Public participation is critical during development of the technical TMDL, development of the implementation plan, adoption of the basin plan amendment, implementation of control actions, and monitoring for effectiveness. Region 3's approach is to simultaneously develop TMDLs for all waters in a given watershed, listed for the same pollutant, as a "TMDL Unit." For example, the Morro Bay Watershed Siltation TMDL refers to TMDLs for Chorro Creek, Los Osos Creek and Morro Bay, all on the 303(d) list for siltation. Occasionally a "TMDL Unit" is defined as a subwatershed because only one or two waterbodies are on the 303(d) list for a particular pollutant (e.g., Chorro Creek Metals).

Current activities are described briefly below. Activities scheduled beyond June 30, 2000 are

shown in Attachment No. 5, *Status of Total Maximum Daily Load Activities*.

San Lorenzo River Watershed Nitrates

The Technical TMDL Report (including an implementation and monitoring plan) and a staff report describing the proposed Basin Plan amendments are currently in scientific peer-review and public comment period. Public comments are due on March 22, 2000. This TMDL, with comments incorporated, will be proposed for adoption as a Basin Plan Amendment at the Board meeting on May 19, 2000.

San Luis Obispo Creek Watershed Nutrients

The Technical TMDL Report will be submitted to USEPA on March 10, 2000; and will be finalized by April 30, 2000. USEPA plans to establish this TMDL through the federal process within a year of April 30, 2000.

Morro Bay Watershed Nutrients and Siltation

The Draft Technical TMDL Reports will be submitted to USEPA by June 30, 2000, and will be presented to the Board for adoption as Basin Plan amendments in May, 2001.

Morro Bay Watershed Pathogens

The Preliminary Technical TMDL Report will be submitted to USEPA by June 30, 2000, and the Technical TMDL Report will be finalized by April 30, 2001.

Las Tablas Creek- Nacimiento Reservoir Metals

The Draft Technical TMDL Report will be submitted to USEPA by June 30, 2000, and will be presented to the Board for adoption as a Basin Plan amendment in May, 2001.

Chorro Creek Metals

The Draft Technical TMDL Report will be submitted to USEPA by June 30, 2000, and will be presented to the Board for adoption as a Basin Plan amendment in March, 2001

Salinas River Watershed Siltation

A problem statement will be completed for this TMDL by June 30, 2000. A contract for additional monitoring, assessment and analysis will be established by May, 2000. Development of the TMDL will proceed throughout next fiscal year.

Pajaro River Watershed Nutrients

A problem statement will be completed for this TMDL by June 30, 2000. The Technical TMDL Report will be submitted to USEPA by June 30, 2001.

Pajaro River Watershed Siltation

A problem statement will be completed for this TMDL by June 30, 2000. A contract for additional monitoring, assessment and analysis will be established by May, 2000. Development of the TMDL will proceed throughout next fiscal year.

Valencia and Aptos Creek Siltation, San Luis Obispo Creek Watershed Pathogens and Priority Pollutants, Morro Bay Watershed Priority Pollutants, and Morro Bay Metals

A review of existing information and a sampling plans to collect additional information will be completed for these TMDLs between June 30, 2000 and September 30, 2000. Sample collection and preliminary analysis of data collected will proceed throughout next fiscal year.

Salinas River Watershed Pesticides, Nutrients and Salinity, Pajaro River Watershed Metals (Clear Creek and Hernandez Reservoir), Pesticides and Oil and Grease (Watsonville Slough)

Preliminary literature review and identification of existing data has been or will be initiated by June 30, 2000 for these TMDLs and development of the TMDLs will proceed throughout the next couple of years.

Richard Bock, Single Family Residence, Los Osos, San Luis Obispo County [Sorrel Marks 549-3695]

Mr. Richard Bock has not taken actions to bring his single family residence wastewater treatment system into compliance with requirements. Staff directed Mr. Bock to submit a plan for compliance. His response concludes he should not have to meet requirements and he asked to address the Board. The following paragraphs and attachments provide the background in this case.

During its May 21, 1999 meeting, the Regional Board considered revision of WDR Order No. 92-27 and issuance of a Cease and Desist Order for Richard Bock, Single Family Residence, San Luis Obispo County. The staff report and associated

background information is included as EO Report Attachment No. 1. Also attached for review is a January 26, 2000 letter, summarizing the current status of Mr. Bock's compliance with Order No. 92-27 (EO Report Attachment No. 2). The January 26, 2000 letter requests that Mr. Bock submit a plan of action for complying with Order No. 92-27. A response letter was received from Mr. Bock on February 14, 2000 and is included as EO Report Attachment No. 3. However, the letter does not indicate a specific plan of action or time frame for complying with Order No. 92-27.

In short, Mr. Bock was granted exemption to the Los Osos discharge prohibition conditional upon installing a nitrogen removal system. Effluent limitations specified in Order No. 92-27 (based on Mr. Bock's consultant's representation of performance capabilities of an experimental treatment system) are 3.5 mg/l total nitrogen. Monitoring performed by Mr. Bock rapidly demonstrated that the treatment system was not meeting the discharge limitations and that any significant reduction of nitrogen was short lived. Other (more proven) technologies are available which can significantly reduce effluent nitrogen, but staff is not aware of any onsite technologies which can consistently meet the existing effluent limitation of 3.5 mg/l. However, Mr. Bock has not even attempted to improve his existing system. Last year, the Regional Board decided to leave the existing 1992 Order and nitrogen limitation in effect. Staff's position is that Mr. Bock needs to attempt to achieve compliance and, in so doing, reduce nitrogen concentrations to the extent feasible. If a good faith effort falls short of the limit, the Board could consider a modification to requirements at the time.

Office Space Update [Paul Jagger 805/549-3502]

As we have previously reported to you, an increase in our budget for this fiscal year has allowed us to hire a number of additional staff. The additional staff that we have already hired has filled our existing office space to maximum capacity, and we still expect to hire several additional staff later this calendar year. Therefore, we have initiated a two-phase process to obtain additional office space. Unfortunately, our existing commercial building complex is inadequate to support additional staff even if additional office space were available. Parking is already a critical problem and is

creating an on-going controversy with our commercial neighbors. Board meetings and other large meetings held here only increase the problem. We have submitted the necessary information to the Department of General Services (DGS), which handles space management for all State agencies, requesting that they find a long-term solution to our space needs. We understand that DGS will consider all possible solutions which meet our needs in the San Luis Obispo area. We also understand, however, that this process will take at least two years due to budget and contracting constraints, so there will be considerable delay before new space can be made available.

Therefore, we have initiated a parallel process with DGS to obtain additional space on a temporary basis (until a long-term solution can be implemented). This will involve a short-term lease of additional space in a separate building. We will likely move one or more complete units to this temporary space in the interim period while our new permanent space is secured. Needless to say, moving some of our staff into a separate building is an undesirable situation, but it is necessary as our new programs and staff are growing rapidly at this time. We hope to obtain temporary space in the second half of this calendar year (which is the beginning of the new '00/01 fiscal year), so that we will have room for new staff as they are hired. We anticipate that 12-15 people may need to move into an off-site location before our new permanent space is available in two years.

Cal/EPA Structure and Fiscal Review [Roger Briggs 805/549-3140]

Secretary Winston Hickox submitted his "Report on Structural and Fiscal Review of Cal/EPA" at the end of February. This report was to be submitted by January 10, 2000, to the Legislature as required by the Supplemental Report of the 1999 Budget Act. The State Board provided copies of the plan to the Regional Board Chairs at the Chairs meeting. Chair Jeffries will pass the plan on to Vice Chair Gary Shallcross. A nine-page transmittal letter from Secretary Hickox discusses opportunities for action, Cross-Media Coordination, Information Management, Risk Assessment and Management, Enforcement, Strategic Planning, and Funding. The report transmitted by the Secretary, prepared by R&G

Associates, has Findings regarding all those topics plus "Authority and Accountability." Each Finding section discusses a number of alternatives, without providing recommendations.

In terms of possible re-organization, the Secretary simply points out the R&G report presents some possible alternatives, but says other alternatives can be developed. "At some point it will be useful to consider these basic changes in the context of using our scarce resources and limited time not only to maximize the environmental protection now but also to lay the groundwork for better approaches to this task in the future." Secretary Hickox commits to preparing a Statewide Strategic Plan for Cal/EPA that will encompass the plans of the Boards, Departments, and Offices within a single Administration Strategic Plan. Cal/EPA hopes to have a plan (or an update to the current plan) by July, 2000.

Public Interest Research Group (PIRG) [Roger Briggs 805/549-3140]

The U. S. Public Interest Research Group (PIRG) released a report on toxic releases to air and water from industries, and each state's compliance ratio for NPDES permits. Attached is a summary of the report, "Poisoning Our Water." The summary was prepared by State Water Resources Control Board staff.

Requirements for Hollister, San Benito County (Roger Briggs 805/549-3140)

We have draft waste discharge requirements out for public review for the Hollister wastewater treatment facilities. We had previously been striving for March consideration by the Board. We provided Hollister with document submittal dates necessary for our March meeting. Unfortunately, the City's CEQA (California Environmental Quality Act) documentation was about a month late. Nevertheless, we still tried to accelerate the schedule to make the March meeting. Due to a number of comments about the permit, that raise some good questions for which we needed to gather additional data (mostly ground water and water well data), we made the difficult decision to schedule the Hollister item for the May meeting, seven weeks later. A contributing factor (but not

the main reason) is that some comments indicated some public interest and the May meeting is a "north" meeting. As the veteran Board members know, my inclination is to push forward and try to resolve issues as quickly as possible rather than deferring to a subsequent meeting. However, I have been advised by the Board that it is better to have all the information in hand and evaluated (at least as much as possible) for the best Board action result.

The City has imposed a sewer connection moratorium on itself due to capacity problems. Several proposed housing developments have been anxiously awaiting approval of new Waste Discharge Requirements, to approve new capacity and allow their projects to proceed. I have received two calls from housing project developers who are dismayed at the delay (affordable housing delays, construction jobs are affected, etc.), as well as from the City Manager, Mr. George Lewis. I also received the attached letter from Senator Bruce McPherson asking for a special meeting to consider this application, in the north part of the region to make it easy for the public to attend. Other letters on this subject are also attached. It appears that we could consider this item at a special meeting on April 21st, up north, if the Board so directs. I will have more information on the pros and cons of such a meeting and will provide a recommendation at our meeting.

ATTACHMENTS

1. Garden Plaza Attachments 1a,1b,1c
2. Cambria MTBE Fig. 3
3. Unocal Avila Beach Map
4. Ballard Canyon Site Attachments 4a, 4b
5. Status of TMDL Activities Pages 1-5
6. Richard Bock, Attachments 6a, 6b, 6c
7. PIRG Report Pages 1-4
8. Hollister Letters, Attachments 8a, 8b, 8c
9. Underground Tanks and Summary Report dated February 23, 2000

